

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

<b>TERRI PECHNER-JAMES and SONIA</b>	)	
<b>FERNANDEZ,</b>	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>C.A. No. 03-12499-MLW</b>
	)	
<b>CITY OF REVERE, THOMAS AMBROSINO,</b>	)	
<b>MAYOR, CITY OF REVERE POLICE</b>	)	
<b>DEPARTMENT, TERRENCE REARDON,</b>	)	
<b>CHIEF OF POLICE, BERNARD FOSTER,</b>	)	
<b>SALVATORE SANTORO, ROY COLANNINO,</b>	)	
<b>FREDERICK ROLAND, THOMAS DOHERTY,</b>	)	
<b>JOHN NELSON, JAMES RUSSO, MICHAEL</b>	)	
<b>MURPHY and STEVEN FORD,</b>	)	
<b>Defendants,</b>	)	

**DEFENDANTS' JOINT STATUS REPORT**

**NOW COME** the Defendants and hereby submit their joint status report.

**I.**

**PENDING MOTIONS**

The following motions are pending:

1. Defendant, City of Revere's, et al, motion for sanctions - Fernandez (Docket Nos. 182-185); opposed (Docket No. 187).
2. Defendant, City of Revere's, et al, motion for sanctions - Pechner (Docket Nos. 188-191); unopposed as of the filing of this status report.

Also pending at this time is Plaintiffs' "appeal" of the Court's Order on Plaintiff's Request to Enlarge the Period for Discovery (Docket No. 186); opposed (Docket No. 192).

## II.

### OUTSTANDING DISCOVERY ISSUES

#### 1. Mayor Ambroino and Chief Reardon Answers to Interrogatories.

On October 25, 2005, the Plaintiffs propounded 18 interrogatories to Mayor Ambrosino and 26 interrogatories to Chief Reardon. Pursuant to the Court's Order on Plaintiffs' Request to Enlarge Period for Discovery, Docket No. 181, pages 10 and 16, these interrogatories are due to be answered on or before Sunday, May 21, 2006. Given the current deposition schedule (see Docket No. 173, the motions referenced above and the status report immediately below), as well as counsel's other case responsibilities, the lack of a secretarial staff and Plaintiffs' Counsel's inability as of this date to provide the interrogatories in electronic format so that they do not have to be re-typed, there is no way this deadline can be met. This reality has been discussed with Plaintiffs' Counsel and he has indicated his willingness to allow for an extension of time. Accordingly, these Defendants request until May 31, 2006, to respond to these interrogatories, though they will attempt to answer them sooner if possible.

#### 2. Plaintiffs' Depositions.

Terri Pechner was deposed on May 5, 2006, and did not show for her deposition scheduled for May 11, 2006 (see motion referenced above). As a result of what happened on May 5, 2006, Plaintiff's Counsel has agreed that these Defendants will only be charged with one-half day of deposition time for May 5, 2006.

Plaintiff Pechner is currently scheduled for additional deposition days on May 19 (1/2 day), May 25 and May 30. These Defendants have two full days remaining on their current allotment of depositions days (Omnibus Discovery Order, Docket No. 166, page 4). Likewise, the individual Officer Defendants have one full day remaining on their current allotment of depositions days

(Omnibus Discovery Order, Docket No. 166, page 3). Obviously, at least one, if not more days of deposition will need to be scheduled for Plaintiff Pechner.

Sonia Fernandez missed her deposition on May 4, 2006 (see motion referenced above), was deposed on May 12, 2006 (though she had to leave 1/2 hour early due to a headache and back fatigue) and May 16, 2006 (though her deposition started an hour late due to the late arrival of her counsel). Moreover, the May 12 deposition session started 45 minutes late due to the fact that Counsel for the parties engaged in a lengthy meet and confer session on the record prior to the beginning of the deposition. Likewise, the May 16 deposition session was interrupted by three cell phone calls to Plaintiff Fernandez, one by each of her three children.

Plaintiff Fernandez is currently scheduled for additional deposition days on May 18 and May 26. These Defendants have over one and one half days remaining on their current allotment of depositions days (Omnibus Discovery Order, Docket No. 166, page 4). Likewise, the individual Officer Defendants have one full day remaining on their current allotment of depositions days (Omnibus Discovery Order, Docket No. 166, page 3). Obviously, at least one, if not more days of deposition will need to be scheduled for Plaintiff Fernandez.

No new dates have been offered by Plaintiffs' Counsel for these missed dates.

For the Defendants  
By their Attorneys,

/s/ Walter H. Porr, Jr  
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508-754-7285

Dated: May 17, 2006.

**CERTIFICATE OF SERVICE**

I, Walter H. Porr, Jr., Assistant City Solicitor and counsel of record for the Defendants, City of Revere, City of Revere Police Department, Mayor Thomas Ambrosino and Police Chief Terence Reardon, hereby certify that I have electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system. I caused to be served upon counsel of record, at the address stated below, via the method indicated, a true copy of same:

James S. Dilday, Esq.  
Grayer & Dilday, LLP  
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Boston, MA 02108  
Attorneys for the Plaintiffs  
Via CM/ECF e-mail

/s/ Walter H. Porr, Jr.  
Walter H. Porr, Jr.,

Dated: May 17, 2006